

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mark E. DAVIS et al.

Application No.: 09/339,818

Filed: June 25, 1999

For: LINEAR CYCLODEXTRIN
COPOLYMERS



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NOV 02 2000

Group Art Unit: 1623 TECH CENTER 1600/2900

Examiner: L. Crane

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

RESPONSE TO OFFICE ACTION TRANSMITTAL FORM

1. Transmitted herewith is a Response to Office Action responding to the Office Action dated July 27, 2000 (Paper No. 9).
2. Additional papers enclosed:
 - ☐ Drawings: ☐ Formal ☐ Informal (Correction)
 - ☐ Information Disclosure Statement
 - ☐ Form PTO-1449, _____ references included
 - ☐ Citations
 - ☐ Declaration of Biological Deposit
 - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 CFR § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 380.00	\$190.00
<input type="checkbox"/> three months	\$ 870.00	\$435.00
<input type="checkbox"/> four months	\$1,360.00	\$680.00

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Extension of time fee due with this request: \$0

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for ___ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	48	minus	65	0	x \$18 each=	+ \$ 0
Independent Claims (37 C.F.R. §1.16(b))	3	minus	7	0	x \$78 each=	+ \$
<input type="checkbox"/> First presentation of Multiple dependent claim(s)					\$270.00	+ \$
SUB-TOTAL =						\$0
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$0

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☐ Check in the amount of \$_____ for _____. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 CFR §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: October 27, 2000

By: Christine S. Lee
Christine S. Lee
Reg. No. 42,788

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Sir:

RESPONSE TO OFFICE ACTION

In response to the non-final Office Action (Paper No. 9) mailed on July 27, 2000, Applicants respectfully request reconsideration of the subject application in view of the following amendments and remarks. This response is being filed within three-months of the mailing date of the Office Action. No extension of time fee is due.

Please amend the application as follows:

IN THE CLAIMS:

✓ Please cancel claims 19-23 and 45 without prejudice or disclaimer. Claims 19-23 and 45 are being pursued in copending application 09/203,556.

Claim 1, line 1, ✓ please change "a repeating unit" to --repeating units--; and
line 3, after "(Ia)", ✓ please insert --, and--.